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Congress of the United States

House of Representatives

November 4, 2009

The Honorable Julius Genachowski
Chairman
Federal Communications Commission
445 12th Street, SW
Washington DC 20554

Dear Chairman Genachowski:

I am writing to express my long-running concern about the lack of a VHF television station in New Jersey, and an important initiative now underway to remedy this inequity.

Recently, I was contacted by PMCM TV, a group ready to relocate a station to New Jersey with the objective of finally filling the local television programming void that exists in most of my state. The principals of PMCM are also the principals of Press Communications, the current licensee of several radio stations in New Jersey that put a emphasis on local content. Members of this group have also established and operated television stations and radio stations throughout the Eastern United States for over 30 years. They understand the broadcast business, New Jersey's needs, and most importantly the crucial need for local programming in my state.

On June 15, 2009, PMCM TV filed advisement notifications with the FCC regarding its intention to move a commercial VHF television station to New Jersey. Fortunately, Section 331 of the Communications Act properly provides opportunities, like the one initiated by PMCM TV, to provide commercial VHF channels to states like New Jersey that do not have a full-power commercial VHF channel.

While the type of filing being undertaken by PMCM TV is not common, there is precedent for it and on a prior occasion at which time on the FCC was able to act on channel reallocation within three months after the notification filing. Therefore, it is my hope that you can quickly review the PMCM TV's notifications and move forward on providing New Jersey VHF channel and the type of local programming content that its over eight million residents deserve.

COMMITTEES.

FOREIGN AFFAIRS

AFRICA AND GLOBAL HEALTH
SUBCOMMITTEE
RANKING MEMBER

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SUBCOMMITTEE

COMMISSION ON SECURITY AND
COOPERATION IN EUROPE
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CONGRESSIONAL-EXECUTIVE
COMMISSION ON CHINA
RANKING MEMBER

DEAN, NEW JERSEY DELEGATION

MS

*License Agreement
PV
JC
18/16*



Please keep me informed regarding the FCC's action on the notification request filed by PMCM TV and any other initiatives the FCC will be taking to provide local programming to New Jersey residents. Please do not hesitate to contact me or David Kush of my staff at 202-225-3765 if you have any further questions regarding this important matter.

Sincerely,

A handwritten signature in black ink, appearing to read 'Chris Smith', written over the word 'Sincerely,'.

CHRISTOPHER H. SMITH
Member of Congress



FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

OFFICE OF
THE CHAIRMAN

November 25, 2009

The Honorable Christopher Smith
U.S. House of Representatives
2373 Rayburn House Office Building
Washington, D.C. 20515

Dear Congressman Smith:

Thank you for your letter regarding the application filed with the Commission by PMCM TV concerning the proposed move of a commercial television broadcast station to New Jersey pursuant to Section 331 of the Communications Act of 1934, as amended. I appreciate the opportunity to update you regarding the status of this matter.

Section 331 of the Communications Act generally requires that the Commission "allocate channels for very high frequency (VHF) commercial television broadcasting in a manner which ensures that not less than one such channel shall be allocated to each State, if technically feasible." Section 331 also directs the Commission to issue a license to any existing VHF commercial television broadcasting licensee "that will agree to the reallocation of its channel to a community within a State in which there is allocated no VHF commercial television broadcast channel." Pursuant to these provisions, PMCM TV, the licensee of KVVN(TV), a VHF commercial television broadcast station, notified the Commission that it would agree to the reallocation of its channel from Ely, Nevada, to Middletown Township, New Jersey.

The PMCM TV proposal to relocate KVVN from Nevada to New Jersey is under review in the Commission's Media Bureau. The Bureau staff has observed that the Engineering Statement that accompanied the PMCM TV application indicates that the KVVN tower site and transmitter would be located in New York City. Given the limited availability of broadcast spectrum in the New Jersey/New York City area, the Bureau currently is conducting technical studies to satisfy the requirements of Section 331. The Bureau anticipates that it will complete its analysis of the PMCM TV proposal in the near future.

I appreciate learning your views on this important matter. If I can be of further assistance, please do not hesitate to contact me.

Sincerely,

Julius Genachowski
Chairman